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10 Attorneys for Defendants,
11 DRAPER FISHER JURVETSON MANAGEMENT COMPANY V,
12 LLC, DRAPER FISHER JURVETSON MANAGEMENT CO. VI,
13 LLC, TIMOTHY C. DRAPER, JOHN H. N. FISHER and STEPHEN
14 T. JURVETSON

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UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

I-ENTERPRISE COMPANY LLC,
Plaintiff,
vs.
DRAPER FISHER JURVETSON
MANAGEMENT COMPANY V, LLC,
DRAPER FISHER JURVETSON
MANAGEMENT CO. VI, LLC, TIMOTHY
C. DRAPER, JOHN H. N. FISHER and
STEPHEN T. JURVETSON,
Defendants.

Case No. C03-1561 MMC (EDL)

STIPULATION AND [PROPOSED] ORDER
ON MOTION TO (1) COMPEL PRODUCTION
OF DOCUMENTS OF PLAINTIFF'S EXPERT
WITNESS MARCIA KRAMER MAYER, Ph.D
WITHHELD FROM PRODUCTION BY
ATTORNEYS FOR I-ENTERPRISE
COMPANY LLC; (2) COMPEL FURTHER
DEPOSITION TESTIMONY FROM MARCIA
KRAMER MAYER, Ph.D. CONCERNING
THE CONTENT OF THE WITHHELD
DOCUMENTS & DISCUSSIONS WITH IEC'S
COUNSEL; AND (3) COMPEL FURTHER
DEPOSITION TESTIMONY FROM
PLAINTIFF'S EXPERT WITNESS PAUL L.
ROSENBAUM CONCERNING TOPICS
RAISED BY IEC'S ATTORNEYS ON
CROSS-EXAMINATION

DATE: July 12, 2005
TIME: 9:00 a.m.
PLACE: Courtroom E, 15th Floor
JUDGE: Hon. Elizabeth D. Laporte

1 WHEREAS, on June 7, 2005, Defendants, DRAPER FISHER JURVETSON
 2 MANAGEMENT COMPANY V, LLC, DRAPER FISHER JURVETSON MANAGEMENT
 3 CO. VI, LLC, TIMOTHY C. DRAPER, JOHN H. N. FISHER and STEPHEN T. JURVETSON
 4 (collectively, the “Defendants”) filed a Notice of Motion and Motion To: (1) Compel Production
 5 Of Documents Of Plaintiff’s Expert Witness Marcia Kramer Mayer, Ph.D. Withheld From
 6 Production By Attorneys For I-Enterprise Company LLC (“IEC”); (2) Compel Further Deposition
 7 Testimony From Marcia Kramer Mayer, Ph.D. Concerning The Content Of The Withheld
 8 Documents & Discussions With IEC’s Counsel; and (3) Compel Further Deposition Testimony
 9 From Plaintiff’s Expert Witness Paul L. Rosenbaum Concerning Topics Raised By IEC’s
 10 Attorneys On Cross-Examination;

11 WHEREAS, on June 21, 2005, Plaintiff, IEC, submitted a Statement Of Non-Opposition
 12 to Defendants’ motion to compel and a [Proposed] Order; and

13 WHEREAS, counsel for the parties have further met and conferred concerning the
 14 discrepancies between the relief sought in Defendants’ motion and Plaintiff’s Statement of Non-
 15 Opposition and [Proposed] Order and have reached a mutually agreeable accommodation
 16 regarding same.

17 NOW THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by and between
 18 the undersigned attorneys for the parties as follows:

19 (1) IEC’s counsel shall produce without any redactions all of the notes of Dr. Marcia
 20 Kramer Mayer previously produced with redactions to Defendants’ counsel by July 15, 2005;

21 (2) Defendants may, by the September 23, 2005 expert discovery cut-off, reopen Dr.
 22 Mayer’s deposition for up to an additional 30 minutes for questioning relating to the contents of
 23 the previously redacted portions of her notes to be produced hereunder; and

24 (3) Defendants may, by the September 23, 2005 expert discovery cut-off, reopen Paul
 25 Rosenbaum’s deposition for up to an additional 20 minutes to question him regarding the
 26 obligations of a limited partner or potential limited partner to check up on the fund by doing
 27 additional due diligence, if any, beyond what is represented in the fund offering memorandum.

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1 Dated: June 28, 2005

MANATT, PHELPS & PHILLIPS, LLP

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By: /s/Jeffrey J. Lokey

Jeffrey J. Lokey

Attorneys for Defendants,

DRAPER FISHER JURVETSON

MANAGEMENT COMPANY V, LLC,

DRAPER FISHER JURVETSON

MANAGEMENT CO. VI, LLC, TIMOTHY

C. DRAPER, JOHN H. N. FISHER and

STEPHEN T. JURVETSON

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Dated: June 28, 2005

KEKER & VAN NEST, LLP

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By: /s/Ashok Ramani

Ashok Ramani

Attorneys for Plaintiff,

I-ENTERPRISE COMPANY LLC

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Filer's Attestation: Pursuant to General Order No. 45, Section X(B) regarding signatures, Jeffrey J. Lokey hereby attests that concurrence in the filing of this document has been obtained.

ORDER

Presently before the Court is Defendants' motion to compel certain redacted notes and additional testimony from IEC expert witness Dr. Marcia Kramer Mayer, and additional testimony from IEC expert witness Paul L. Rosenbaum. Having considered Defendants' moving papers, Plaintiff's non-opposition papers, the parties' stipulation, and the case record, the Court finds that the parties are in substantial agreement, and to avoid further disputes,

IT IS HEREBY ORDERED that:

(1) IEC's counsel shall produce without any redactions all of the notes of Dr. Marcia Kramer Mayer previously produced with redactions to Defendants' counsel by July 15, 2005;

(2) Defendants may, by the September 23, 2005 expert discovery cut-off, reopen Dr. Mayer's deposition for up to an additional 30 minutes for questioning relating to the contents of the previously redacted portions of her notes to be produced hereunder; and

(3) Defendants may, by the September 23, 2005 expert discovery cut-off, reopen Paul Rosenbaum's deposition for up to an additional 20 minutes to question him regarding the obligations of a limited partner or potential limited partner to check up on the fund by doing additional due diligence, if any, beyond what is represented in the fund offering memorandum.

DATED: June 30 2005



THE HON. ELIZABETH D. LAPORTE
UNITED STATES MAGISTRATE JUDGE